

BUREAU OF AUTOMOTIVE REPAIR

ORDER OF ADOPTION

The Bureau of Automotive Repair hereby adopts the following regulations in Article 8 of Chapter 1 of Division 33 of Title 16 of the California Code of Regulations:

(1) Add Section 3367 to read as follows:

§ 3367. Inflatable Restraint Systems; Airbags.

(a) An Automotive Repair Dealer shall not install or reinstall, or distribute or sell, any air bag which is known, or which by the exercise of reasonable care should be known, to have been previously deployed, and which is part of an inflatable restraint system.

(b) Any violation of this section shall be cause for administrative disciplinary action. The authority of the bureau to impose discipline pursuant to this section shall be in addition to, and not a limitation on, its authority to take disciplinary action or other legal action, pursuant to any other provision of law.

Note: Authority cited: Sections 9882 and 9884.19, Business and Professions Code. Reference cited: Sections 490 and 9884.7, Business and Professions Code; and Section 27317, Vehicle Code.

(2) Add Section 3368 to read as follows:

§ 3368. Commissions, Consideration, Inducements, or Referral Fees; Towing Services.

(a) An Automotive Repair Dealer shall not directly or indirectly pay or agree to pay any money or anything of value as a commission, referral fee, inducement, or in any manner a consideration, to a towing service for the delivery or the arranging of a delivery of a vehicle, not owned by the repair shop or towing service, for the purpose of storage or repair.

(b) An Automotive Repair Dealer shall not directly or indirectly accept or agree to accept any money or anything of value as a commission, referral fee, inducement or in any manner a consideration, from a towing service for arranging or requesting the services of a tow truck.

(c) Any violation of this section shall be cause for administrative disciplinary action. The authority of the bureau to impose discipline pursuant to this section shall be in addition to, and not a limitation on, its authority to take disciplinary action or other legal action, pursuant to any other provision of law.

Note: Authority cited: Sections 9882 and 9884.19, Business and Professions Code. Reference cited: Sections 490 and 9884.7, Business and Professions Code; and Section 12110, Vehicle Code.

/s/

PATRICK DORAIS

Acting Chief

Bureau of Automotive Repair